

EXHIBIT 1

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Cisco Just Fired Another Shot At Its Hated Rival, An Upstart Formed By Ex-Cisco Employees



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Cisco is now going after rival Arista Networks with two guns instead of one.

In addition a lawsuit filed earlier this month accusing Arista of patent and copyright infringement, [Cisco has now gone to](#) another legal body, the US International Trade Commission.

Cisco is asking for an injunction blocking Arista from importing and selling products in the US. Cisco claims that Arista's products violate 12 Cisco patents.

A blog post by [Cisco lawyer Mark Chandler](#) explains:

"The ITC generally acts more quickly than typically occurs in district court cases, which will help us in our efforts to obtain orders to stop Arista's unlawful actions as quickly as possible."

As we previously reported, these lawsuits by Cisco are personal, because so many of Arista's employees are ex-Cisco folks.

Arista is a newly public networking equipment company formed by two famous Valley billionaires, Andy Bechtolsheim and David Cheriton, and [run by a whole bunch of ex-Cisco employees](#) including its CEO, former star Cisco engineer Jayshree Ullal.



Bloomberg via Getty Images
Cisco CEO John Chambers

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Arista had a hugely successful IPO in the summer and has been blowing out its quarterly results with growth and profits.

Cisco said in its original legal filing that the tipping point that made it decide to sue was an article [about Ullal published by Fortune in March](#).

"I would never compete with Cisco directly in the enterprise in a conventional way. It makes no sense. It would take me 15 years and 15,000 engineers, and that's not a recipe for success."

Cisco took that to mean she's competing in an unconventional way.

The company is also upset that Arista is marketing itself by declaring how much its products mimic Cisco's, it said in its legal filings.

It takes years of training, and thousands of dollars, to become a Cisco Certified Internetwork Expert (CCIE).



Arista CEO Jayshree Ullal

Ullal said in a 2013 article in Network World, that Arista

deliberately designed part of its own software, the "command line interface" [to be similar to Cisco's](#): "... a Cisco CCIE expert would be able to use Arista right away, because we have similar command-line interfaces and operational look and feel."

In one of the more entertaining examples of the alleged infringement, Cisco's lawyers argued that Arista didn't just copy some of Cisco's technology, it also copied Cisco's user manuals, right down to the typos.

Shortly after the lawsuit was filed, Ullal spoke at Barclay's Global Tech conference and admitted that some of the manual was copied. She suggested that someone was going to be fired over it, saying:

This is something that is completely unacceptable to me, that less than 1% has been copied. **We are taking care of the individual and personnel who's doing it.** I own up to that. That's a mistake. I apologize to Cisco for it. We're going to fix it in a week.

Then she argued that Cisco didn't invent the command-line interface software and therefore can't claim ownership of it. "I have been in networking companies before Cisco

was founded that adopted that CLI. ... is it really disputable that they have the copyright on the CLI?"

As to the patent violation claims, she deflected, pointing out, "Cisco has a patent portfolio, they say, of 13,000, so it's hard to find these 14."

She has a point there. We understand that **Cisco's patent portfolio is more like 14,000.**

Ullal has characterized these lawsuits as a classic tactic used by **a big company whenever they get nervous** about an upstart. They sue.

How much damage Cisco will able to do with these suits isn't yet clear, but investors have cooled on this 2014 IPO star. Arista's stock is still down about 9% since the first lawsuit was announced, trading below \$70.

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